

STATE PLAN FOR PROVISION OF
PUBLIC ASSISTANCE UNDER
THE PERSONAL RESPONSIBILITY
AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996

Effective October 1, 2010

STATE OF CALIFORNIA
Arnold Schwarzenegger, Governor

HEALTH AND HUMAN SERVICES AGENCY
Kimberly Belshé, Secretary

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
John A. Wagner, Director

CERTIFICATION

California will operate a program to provide temporary assistance for needy families so that children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and to encourage the formation and maintenance of two-parent families. This program is known as the California Work Opportunity and Responsibility to Kids (CalWORKs) Program.

Executive Officer of the state: Arnold Schwarzenegger, Governor

The California Department of Social Services, the Department of Child Support Services, and the California Department of Health Care Services are the state agencies responsible for supervision of local political subdivisions in the administration of the Temporary Assistance for Needy Families (TANF) Program. These agencies have authority under state law to make rules and regulations that are binding on such political subdivisions. This state plan will be binding on the subdivisions and will be in effect throughout the state.

In administering and operating a program that provides temporary assistance for needy families with minor children under Title IV-A of the Social Security Act, the state will:

1. Assure that local governments and private sector organizations:
 - (A) have been consulted regarding the plan and design of welfare services in the state so that services are provided in a manner appropriate to local populations, and
 - (B) have had at least 45 days to submit comments on the plan and the design of such services, the 45-day comment period ended on October 11, 2010.
2. Operate a Child Support Enforcement program under the state plan approved under part D.
3. Operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance.
4. Provide each member of an Indian tribe, who is domiciled in the state and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the state program funded under this part attributable to funds provided by the federal government.

5. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of state programs, kickbacks, and the use of political patronage.
6. Make available to the public a summary of the state plan.
7. Exercise the Family Violence Option (FVO) in accordance with Title 42 USC 602 (a)(7). California has established and is enforcing standards and procedures to:
 - (A) screen and identify individuals receiving TANF and Maintenance of Effort (MOE) assistance with a history of domestic violence, while maintaining the confidentiality of such individuals;
 - (B) refer such individuals to counseling and supportive services; and
 - (C) provide waivers, pursuant to a determination of good cause, of normal program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.



In accordance with Title 42 of the United States Code, Section 602, Subsection (a), paragraph (4), I certify that the State of California will administer and supervise the CalWORKs program as outlined in this plan:

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

12/28/10

DATE

A handwritten signature in black ink, which appears to read "Arnold Schwarzenegger", is written over a horizontal line.

Arnold Schwarzenegger, Governor

A. GENERAL PROVISIONS

- i. **Outline how the state intends to conduct a program designed to serve all political subdivisions in the state (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.**

Effective January 1, 1998, California enacted its welfare reform program, entitled the California Work Opportunity and Responsibility to Kids (CalWORKs) program. CalWORKs serves all political subdivisions (counties) in the state. This program is supervised by the California Department of Social Services (CDSS) and administered by county welfare departments (CWDs) in accordance with a statewide system of regulations that ensure universal access as well as consistent and uniform eligibility criteria. CalWORKs includes welfare reform measures and services designed to encourage recipients to qualify for and find jobs that will enable families to be self-supporting.

As of October 1, 2006, assistance units that consist of two, aided, nondisabled, natural or adoptive parents of the same aided or SSI/SSP minor child (living in the home), unless both parents are aided minors and neither is the head-of-household, are aided in the TANF program and not in a separate state program. Adults in two-parent families are required to participate in at least 35 hours each week of welfare-to-work (WTW) activities listed in Section A ii. Both parents in the assistance unit may contribute toward the 35-hour requirement if at least one parent participates a minimum average of 20 hours per week.

Beginning December 1, 2004, as a result of the passage of Senate Bill (SB) 1104, Chapter 229, Statutes of 2004, additional changes to the CalWORKs WTW Program were implemented. These changes, described in Section A ii., increased the program's focus on work by requiring that counties develop a WTW plan for CalWORKs WTW participants within specified timeframes and that these individuals participate for a minimum average of 20 hours per week in specified core activities as part of their work participation requirement. SB 1104 also eliminated the 18- and 24-month time limit on participation in select WTW activities. Beginning April 3, 2006, as a result of the passage of SB 68, Chapter 78, Statutes of 2005, these requirements were modified as described in Section A ii.

- ii. **Outline how the state intends to require a parent or caretaker receiving assistance under the program to engage in work (as defined by the state) once the state determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.**

California's WTW program is designed to assist CalWORKs recipients in finding employment and/or acquiring the necessary job skills to obtain employment. To reach that goal, the CalWORKs program established mandatory work participation requirements for aided parents and caretakers as follows:

- At the time of application, the CWD may determine that the individual meets specified criteria for exemption from participation in employment preparation or work activities; otherwise, the CWD will determine an individual's ability to engage in work upon his or her entry into the CalWORKs WTW Program.
- After aid has been granted, recipients who are not exempt are required to participate in an appraisal and, are generally assigned to job search for four weeks as their first work activity upon completion of the appraisal. However, job search may be shortened if the CWD determines that the recipient would not benefit from the activity or it may be lengthened if additional job search would result in employment.
- If the recipient is unable to find unsubsidized employment through job search, the individual will be referred for an assessment. Based upon the assessment, the CWD and the recipient must develop and agree upon a WTW plan, which covers the activities and services that will be provided to an individual, as appropriate and as resources permit.
- The WTW plan will specify the supportive services, which may include childcare, transportation costs, ancillary expenses, or personal counseling that will be provided to the individual. Payments for these services are supplemental, are made separate from any monthly income support payment, and may or may not be in the form of cash to the recipient.
- If necessary supportive services are unavailable, the participant will have good cause for not participating in his or her assigned WTW activity.
- The WTW activities offered by the CWD, may include, but are not limited to the following:
 - (1) Unsubsidized employment – self-explanatory.
 - (2) Subsidized private or public sector employment – employment in which the participant's employer is partially or wholly reimbursed for wages and/or training costs.
 - (3) Work experience – a WTW training activity in the public or private sector that is performed under close supervision and helps provide basic job skills, enhance existing skills, or provide a needed community service that will lead to unsubsidized employment.

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- (4) On-the-Job Training (OJT) – self-explanatory.
 - (5) Grant based OJT – a voluntary WTW activity that is performed in the public or private sector in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment or both is diverted to the employer as a subsidy to wholly or partially offset the payment of wages so long as the total amount diverted does not exceed the family's maximum aid payment. The wage derived from the diverted cash grant and/or grant savings is considered nonexempt income and is not subject to the earned income disregard specified in Section B iii.
 - (6) Supported work or transitional employment – both are voluntary WTW activities that are forms of grant-based OJT in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment, is diverted to an intermediary service provider to totally or partially offset the payment of wages to the recipient. The wage derived from diverted cash grant or grant savings is considered nonexempt income and is not subject to the earned income disregard specified in Section B iii.
 - (7) Work study – programs established by Title IV of the federal Higher Education Act, of Chapter 2 of Part 42 of the California Education Code or the state annual Budget Act.
 - (8) Self-employment – defined by the county but must meet the definition of employment, which is defined as work that is compensated at least at the applicable federal or state minimum wage. If neither wage rate applies, the work must be compensated in an amount equal to the lesser of the two rates.
 - (9) Community service – a WTW training activity that is temporary and transitional, which is performed in the public or private nonprofit sector under close supervision, and provides participants with job skills that can lead to employment while also meeting a community need.
 - (10) Adult basic education – a WTW activity needed by the individual to become employed and may include instruction in reading, writing, arithmetic, high school proficiency, or general educational development (GED) certificate instruction, and English as a second language.
 - (11) Job skills training directly related to employment – self-explanatory.
 - (12) Vocational education and training – programs including but not limited to those offered through colleges, community colleges, adult education, and regional occupation centers.

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- (13) Job search/job readiness – training in basic job seeking and interviewing skills and understanding employer expectations and employee obligations.
 - (14) Education directly related to employment – self-explanatory.
 - (15) Programs leading to a GED certificate or satisfactory progress in secondary school as needed by an individual to become employed.
 - (16) Mental health counseling, treatment and rehabilitation activities necessary to obtain and retain employment.
 - (17) Substance abuse counseling, treatment, and rehabilitation activities necessary to obtain and retain employment.
 - (18) Domestic violence services necessary to obtain and retain employment.
 - (19) In addition, an individual's WTW activity may include the parent's participation required by a school to ensure that a child in the assistance unit attends school as required.
 - (20) Other activities necessary to assist an individual in obtaining unsubsidized employment.
- As described in Section A i., unless exempt, adults in a two-parent household must participate in allowable WTW activities for an average of 35 hours per week.
 - Unless exempt, an adult in a single parent household must participate in WTW activities for at least the minimum number of hours required under Section 607(c) of Title 42 of the United States Code. Effective July 1, 1999, an adult in a single parent household is required to participate in WTW activities for a minimum of 32 hours per week.
 - As mentioned in Section A i., provisions in state law due to SB 1104 make the CalWORKs WTW Program more work-focused. Effective December 1, 2004, counties began developing WTW plans for nonexempt WTW participants within 90 days from the date that an individual's eligibility for aid is determined or the date that the recipient is required to participate in WTW activities. This 90-day period can begin after the completion of job search activities if a recipient begins job search within 30 days from the date that an individual's eligibility for aid is determined or the date the recipient is required to participate.

- Additionally, WTW participants are required to participate in at least 20 hours per week of core WTW activities. Core activities are limited to WTW activities (1) through (9), (12), (limited to 12 months), and (13) described above. The remaining hours, up to 12 hours in a single-parent household or up to 15 hours in a two-parent household, must be in core or non-core WTW activities. Non-core activities are activities (10) through (12) and (14) through (20) described above. Furthermore, SB 68 added WTW activity (15) to the list of non-core activities that can be counted toward the CalWORKs 20-hour core participation requirement, when specific conditions are met. Under specified situations, non-core activities may count toward meeting the core requirement. Mental health, substance abuse and domestic violence treatment hours (WTW activities 16 through 18) and/or classroom, lab and internship hours in WTW activities (10), (11), (14), and (15) may be counted as core activities if participation in the treatment services are necessary for the individual to participate in CalWORKs core activities and participation in the specified educational activities meet the following criteria:
 - The county has determined that the program leads to a self-supporting job.
 - The individual is making satisfactory progress.
 - The individual does not possess a baccalaureate degree unless he/she is pursuing a California regular classroom teaching credential.
 - The program is on the county list of programs that the county and local agencies agree will lead to employment.
 - If the program is not on the county-approved list, the county must continue to provide the individual with the opportunity to demonstrate that completion of the program will lead to self-supporting employment.

iii. Outline how the state intends to ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with Section 407.

California has designed a program that provides parents and caretakers receiving CalWORKs cash assistance the opportunity to participate in employment and training activities that will assist them to become economically self-sufficient (See Section A ii. above). To ensure participants engage in work activities, the state's program also provides necessary supportive services such as assistance with transportation, ancillary, child care expenses, and personal counseling in order for the participant to successfully participate in work or their assigned WTW activities.

However, as another measure to encourage compliance with work requirements, the program also provides for financial penalties for failing or refusing to participate in the program as required.

- Any nonexempt recipient of assistance, who refuses to sign his or her WTW plan, refuses to cooperate in meeting program requirements, or fails to fulfill the terms of his or her WTW plan without good cause, shall be removed from the assistance unit incurring a financial sanction until the individual performs the required WTW activity.
- The Cal-Learn program assists pregnant and parenting teens, unless exempted or deferred, who have not obtained a high school diploma or its equivalent to graduate and become self-sufficient.

iv. Outline how the state intends to take such reasonable steps, as the state deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the federal government.

Existing state law specifies that information about individuals and families receiving assistance is to be considered confidential. Therefore, except as authorized by federal law, the state will continue to enforce existing confidentiality regulations. These regulations have been developed to protect applicants and recipients against identification, exploitation, or embarrassment that could result from the release of information identifying them as having applied for, or having received, public assistance.

The regulations apply to all records, papers, files, and communications (whether written or oral) pertaining to applicants for, and recipients of, public assistance. They also outline under what circumstances, and to whom, such information may be released.

Except as otherwise provided by federal law, all information concerning the circumstances of any individual applying for, or receiving, public assistance is confidential and is to be safeguarded. No disclosure of any information obtained by a representative, agent, or employee of the county, in the course of discharging his or her duties, shall be made directly or indirectly other than in the administration of public social service programs, or as provided under federal law. Any disclosure of information that identifies by name or addresses any applicant or recipient of public social services to federal, state, or local legislative bodies and their committees without the consent of such applicant or recipient is prohibited. Both the release and the possession of confidential information in violation of the rules are misdemeanors.

- v. **Outline how the state intends to establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the state (as defined in section 403(a)(2)(B)) for calendar years 2001 through 2012.**

California has a two-pronged approach to reducing the incidence of teen pregnancy and out-of-wedlock pregnancy. For girls under the age of legal consent (age 18), the strategy is pregnancy prevention, and the numerical objective is based on the birth rate for females age 15-17 years old. For women age 18 and older, the strategy is father involvement, and progress is measured in terms of the proportion of births in which the mother is either married or has a declaration of paternity.

California has set objectives for reductions in the teen birth rate (females age 15-17 years old) for several years. For the years 2009-2012 those objectives are an annual reduction of .3 percent per 1,000 per year. These objectives are submitted to the federal Health Resources and Services Administration as part of California's Title V Block Grant Annual Report. For most of the last eight years for which actual data are available (2001-2008), California has met and exceeded its teen birth rate objectives. Since 2001, the teen birth rate for females age 15-17 years old has fallen steadily, down to 21.1 in 2003, down further to 20.0 in 2006, and 19.9 in 2007, with 2005 being the only year in which the actual rate is higher, by 0.3, than the objective. California takes great pride in the lowest teen birth rate for females age 15-17 years old in several decades. In 2008, there were 19.1 births per 1,000 females age 15-17 years old.

The following table shows the objectives for 2001-2008 and the actual birth rates for 2001-2008:

Goal 1: Decrease the rate of birth (per 1,000) for female teens age 15-17 years.

	Age Group (in yrs)	2001	2002	2003	2004	2005	2006	2007	2008
Objective	15-17	25.0	23.5	22.3	21.9	20.0	20.1	20.0	19.7
Actual		23.8	22.4	21.1	20.6	20.3	20.0	19.9	19.1

Data sources: Numerator: State of California, Department of Public Health, Center for Health Statistics, 2001-2008 California Public Use Birth Statistical Master File. Denominator: State of California, Department of Finance, *Race/Ethnic Population with Age and Sex Detail, 2000-2050*. Sacramento, California, July 2007. Tabulations were done by California Department of Public Health, Center for Family Health, Office of Family Planning, July 2009.

With regard to the older age group (females age 18 and over), the mother was either married or had a declaration of paternity * in 92.6 percent of all births (2007). These percentages indicate that the proportion of births in which the mother is either married or has a declaration of paternity continues to be stable.

* A declaration of paternity legally establishes a parent-child relationship between the biological father and the child, in cases where the biological parents are not married to each other. It allows the father's name to be added to the child's birth certificate. Signing a Declaration of Paternity form is voluntary for both parents.

Goal 2: Increase the proportion of births in which the mother is either married or has a declaration of paternity.

	Age Group (in yrs)	2001	2002	2003	2004	2005	2006	2007
Actual	18-19	80.8%	81.1%	81.3%	81.4%	80.9%	82%	82.1%
Actual	20 +	92.5%	92.5%	92.6%	92.7%	92.5%	93%	92.6%

Data source: California Automated Vital Statistics System (AVSS) birth certificate registration database (2000–2007). Tabulations were done by the Maternal, Child, and Adolescent Health Division.

In the development of the annual objectives, trend analyses were conducted using simple linear regression techniques based on the last five years of data. Information about social trends, legal limitations, and fiscal constraints and their impact on the availability of services was also considered. Objectives are reviewed and revised annually.

The California Departments of Social Services and Public Health continue to explore various strategies which may be undertaken to discourage out-of-wedlock pregnancies and, in the absence of marriage, to encourage declarations of paternity and involvement of fathers. California programs which may be involved in these efforts include: Cal-Learn; CalWORKs Family Planning Information Project; the Adolescent Family Life Program; Community Challenge Grants; Family Planning, Access, Care, and Treatment (Family PACT) Program; and the Information and Education Program.

California has a stated goal of reducing the incidence of pregnancies among females aged 17 or younger and to reduce absentee fatherhood. The Department of Public Health has undertaken this challenge through continuing efforts in teen pregnancy prevention programs in the Office of Family Planning and Maternal, Child and Adolescent Health Divisions.

These prevention programs are closely tied with Family PACT Program clinical services to ensure that teens receiving prevention services and are sexually active have a referral for these clinical reproductive and contraceptive services.

Highlights from these efforts (Cal-Learn; CalWORKs Family Planning Information Project; the Adolescent Family Life Program; Community Challenge Grants; Family Planning, Access, Care, and Treatment (Family PACT) Program; and the Information and Education Program) are embodied in the programs/efforts described below:

- Pregnant or parenting teens will be required to live at home, with good cause exceptions, if they are to receive financial assistance.
- Cash grants will not be increased for additional children born to families who have received aid for the ten months prior to the child's birth unless they meet certain exemption criteria.
- California Mentor Initiative – The state has expanded its mentoring program to help reach the goal of linking 250,000 mentors with at-risk youth.
- Community Challenge Grants – A grant program that supports over 112 private organizations and public agencies to develop and implement innovative, effective community-based strategies to reduce teen and unwed pregnancies in geographic areas with statistically significantly higher birth rates to teens.
- Information and Education programs provide a continuum of educational interventions to assist females and males of reproductive age to acquire the knowledge, attitudes, and behavioral skills necessary to make responsible decisions regarding their reproductive health.
- A statewide clinical services program known as Family PACT to prevent unintended pregnancy through expanded access to reproductive health and family planning services for low income women and men, including adolescents. Family PACT undertakes ongoing efforts in the areas of client outreach, provider recruitment, training, and technical assistance, and the addition of new FDA-approved contraception methods to the benefits package.

- vi. **Outline how the state intends to conduct a program designed to reach state and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.**

California intends to attack the problem through the Statutory Rape program that includes targeting adult men fathering babies with teenage mothers. The state has strengthened enforcement of existing statutory rape laws by establishing a Statutory Rape Vertical Prosecution Program in all 58 counties. Vertical prosecution results in higher rates of conviction by allowing the same prosecutor to follow a specific case all the way through the judicial process and by promoting greater cooperation of victims and witnesses and closer coordination between attorneys and law enforcement personnel. Effective January 1, 1997, civil penalties were increased for those who commit statutory rape.

B. SPECIAL PROVISIONS

- i. Indicate whether the state intends to treat families moving into the state from another state differently than other families under the program, and if so, how the state intends to treat such families under the program.**

California will not treat families moving into the state from another state differently from other families under the program.

- ii. Indicate whether the state intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, include an overview of such assistance.**

California uses TANF funds to serve qualified aliens in accordance with TANF provisions. California also aids some legal aliens who are not eligible for TANF with state-only funds. These are legal aliens who were eligible under the former Aid to Families with Dependent Children (AFDC) Program, and may remain eligible under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) for state-only funded benefits, but who lost federal eligibility with the passage of PRWORA. These aliens must meet the same financial criteria and are subject to the same work requirements as CalWORKs recipients.

- iii. Set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the state will provide opportunities for recipients who have been adversely affected to be heard in a state administrative or appeal process.**

CalWORKs establishes uniform objective criteria for determination of eligibility for cash aid, diversion services and supportive services to families with (or expecting) a needy child. Eligibility is based upon need as indicated by age, citizenship, deprivation, income, resources, and residency. In addition, continued eligibility is based on compliance with work requirements, the reporting of specific information, and is limited to 60 months. Exemptions to

work requirements and time limits are defined. Convicted drug felons and fleeing felons are ineligible for benefits under this program.

An applicant family shall not be eligible for CalWORKs unless the family's income, exclusive of the first ninety dollars (\$90) of earned income for each employed person is less than the minimum basic standard of adequate care (MBSAC) as specified in Welfare & Institutions (W&I) Code Section 11452.

A recipient family shall remain eligible when a needy child or adult is temporarily absent from the home. The time period for temporary absences from the home is one full calendar month of at least 30 days. Exceptions to this rule are defined in state regulations.

A parent or parents of a child(ren) removed from the home and placed in out-of-home care, may be considered living with the needy child(ren) for a period of 180 consecutive days following the removal of the child(ren), if the family was receiving aid at the time the child was removed and the county determines that the provision of CalWORKs services is necessary for reunification of the family. The parent or parents that are subject to the terms of a family reunification plan and require CalWORKs services for the purpose of family reunification shall not be eligible for a cash aid grant during the child(ren)'s absence. The parent who is under a WTW sanction, as described in Section A. iii, shall not be precluded from utilizing CalWORKs services that are necessary for reunification of the family. In addition, a parent may be granted good cause for not meeting WTW participation requirements, if such participation is not consistent with the individual's family reunification plan. CWDs may also elect to utilize the family reunification plan as the WTW plan.

A good cause extension of the 180-day temporary absence period may be granted in cases where reunification occurs or is expected to occur after 180 consecutive days from the date of removal of the child from the home. State regulations require that the basis for the temporary absence be documented in the case file.

A recipient family shall not be eligible for CalWORKs if income, exclusive of amounts exempt under W&I Code Section 11451.5, equals or exceeds the maximum aid payment (MAP) specified in W&I Code Section 11450. W&I Code Section 11451.5 provides that the first \$225 of the recipient family's earned income or disability-based income is disregarded. If disability-based unearned income is less than \$225, any remaining portion of the \$225 disregard shall be applied to the family's earned income. After such application, any remaining earned income is disregarded at a rate of 50 percent.

Child care services will be made available to every cash aid recipient who is working or participating in work activities. Child care payments are paid to the

provider of services or the parent in specific situations without the use of income disregards.

California's lump-sum diversion program is designed to assist applicants who are apparently eligible to receive CalWORKs cash assistance and would likely avoid the need for extended assistance beyond the diversion period if the family was provided one-time assistance. The CWD shall determine eligibility for the diversion program at its sole discretion. The applicant may either participate in the diversion program or decline participation. If the applicant chooses to participate, the CWD shall deny the CalWORKs part of the application but will continue to determine eligibility for Medi-Cal and Food Stamps. If the individual reapplies for cash assistance within the diversion period, the CWD shall, at the option of the recipient, either recoup the amount paid from the cash grant over a period of time or count the number of months the diversion period covers towards the 60-month time limit.

In addition to CalWORKs recipients, California's TANF program will also provide services consistent with the four purposes of the TANF program to the following populations:

To the extent that services are not available from other sources, counties have the option to provide former recipients job retention services, such as case management services and supportive services in order to assist the individual in retaining employment. These services can be provided for up to 12 months for former recipients who received aid within the previous 12 months. Recipients who leave aid may be eligible for up to 12 months of transitional Medi-Cal and/or 24 months of child care.

- Family focused case specific services that were provided to children in the juvenile justice system were eliminated as they are no longer TANF funded.
- The Emergency Assistance Program provides benefits and services to children and families in emergency situations, with eligibility restricted to once in a 12-month period. Individuals may be provided services that were previously funded through IV-A on September 30, 1995. The same eligibility criteria will be applied to this population that was in effect at that time.
- The Kin-GAP Program will serve those children exiting the foster care system to enter a guardianship with a relative; the children may have been receiving either federal Aid to Families with Dependent Children – Foster Care (AFDC-FC) or CalWORKs benefits prior to entering the Kin-GAP Program.

To be eligible to receive a Kin-GAP payment, the child must have lived with the relative for at least 12 months, and the relative guardianship must be established and juvenile court dependency dismissed pursuant to state

statute any time after January 1, 2000. Once the dependency is dismissed, no follow-up services are required and the child welfare services case will be dismissed. In addition to the guardianship requirements, the child must meet financial and resource standards set in the CalWORKs Program.

Unless TANF Emergency Contingency Funds (ECF) become available, effective January 1, 2011, the State will exercise its option to claim Title IV-E funds for kinship guardianship assistance benefits in accordance with Public Law (P.L.) 110-351. Effective January 1, 2012 eligibility for benefits will be extended to non-minor dependents up to age 21 (phased in over three years). Nonminor dependents under the age of 19 years-old who are ineligible for federal foster care will continue to be served under the CalWORKs program. Nonminor dependents eligible for extended benefits after age 18 will be served under the CalWORKs state-only program.

- Performance Incentives may be awarded to counties based on specific outcomes. Exclusively for the expenditure of these performance incentives and for purposes of providing nonassistance services pursuant to Section 42 U.S.C. Sec. 601(a)(1) and (2) to families not receiving aid, "needy families" includes any family in which the minor child is living with a parent or adult caretaker relative and the family's income is less than 200 percent of the official federal poverty guidelines applicable to a family of the size involved. No more than 25 percent of performance incentive funds may be expended for these purposes.
- Group repatriation planning is conducted at the county government level and TANF funds are distributed to local government agencies for developing, planning or exercising emergency plans.
- California Department of Education's state subsidized child care programs serve children and families meeting specific eligibility criteria including families who are very low income, are homeless or whose children are at risk of being abused, neglected or exploited. As provided in the state's annual Budget Act, exclusively for the purposes of determining qualified Maintenance of Effort (MOE) expenditures in California Department of Education's subsidized Child Care programs, an "eligible family" is one with a child(ren) living with a parent or other adult caretaker relative who is financially needy under the CalWORKs income standards established by the state.
- The Department of Education administers after school programs created through partnerships between schools and local community resources for elementary, middle, and junior high schools including charter schools throughout California. Pursuant to California Education Code (Sections 8482.5 and 8483.3), priority for after school care programs shall be given to

schools where a minimum of 50 percent of the pupils in elementary schools, middle and junior highs are eligible for free or reduced cost meals through the school lunch program of the United States Department of Agriculture. As such, for MOE claiming purposes for after school care programs, eligibility for free or reduced cost meals shall be considered the definition of eligible family for this funding source.

An estimated fifty percent of expenditures provided to the target child population, exclusive of funds already claimed by the California Department of Education, are countable toward the TANF MOE requirement under Purposes Three and Four of TANF (prevent and reduce the incidence of out-of-wedlock pregnancies, and encourage the maintenance of healthy two-parent married families).

- The California Community College Chancellor's Office offers Institution Based Student Aid to low-income students attending any of the state's Community Colleges. The aid, called Board of Governors (BOG) fee waivers, is used to cover the costs of tuition to the college. These state funds can be countable, if eligible, toward the TANF MOE requirement under Purpose Three of TANF (prevent and reduce the incidence of out-of-wedlock pregnancies).
- The state is adopting by reference the federally approved financial eligibility criteria established by each tribal TANF program as the state's financial eligibility criteria when determining eligibility for state funded services provided by tribal TANF programs.
- All programs or activities that are claimed by the state for MOE purposes either are outlined in this TANF state plan or are incorporated by reference in the Annual Report on State TANF and MOE programs (ACF 204).

Applications for CalWORKs are made on a state-supplied application form that elicits the same information in every case. Applications are processed promptly by CWDs under a system of statewide regulations that ensure fair and humane treatment free of discrimination.

The following policies and principles are in state statute and/or regulations and govern the delivery of public assistance:

- Assistance is to be administered promptly and humanely, with due regard to the preservation of family life and without discrimination on account of race, color, national origin, religion, political affiliation, sex, disability or marital status and age.
- Assistance is to be administered so as to encourage self-respect, self-reliance and the desire to be a good citizen useful to society.

- It is the responsibility of all who are concerned with the administration of aid to do so with courtesy, consideration, and respect toward applicants and recipients and without attempting to elicit any unnecessary information. Administrative duties should be performed in such a manner as to secure for every applicant and recipient the amount of aid to which he or she is entitled under the law.
- The provisions of the law relating to public assistance are to be fairly and equitably construed.
- There are to be no questions, inquiry, or recommendation relating to the political or religious opinions or affiliations of an applicant or recipient.

Existing state law provides that applicants and recipients who have been adversely affected are guaranteed a fair hearing before an administrative law judge. Applicants and recipients can request such a hearing either by filing a written request with the CWD or by calling a toll free number in Sacramento.

CalWORKs provides a grievance procedure for regular employees and their representatives to resolve complaints of displacement by WTW participants. However, any existing grievance procedure that is part of a collective bargaining agreement will be used in lieu of the state's grievance process. In addition, CWDs are required to notify the appropriate labor union of the assignment of WTW participants to a worksite covered by a collective bargaining agreement. Posters informing employees of the displacement grievance process are to be posted at non-union work sites in which WTW participants are placed. The state's grievance process consists of an informal procedure that may be followed with a formal hearing conducted by the state Hearings Division of the California Department of Social Services, if the informal procedure fails to resolve the complaint. Complaints of displacement are to be made in writing and filed with the CWD. The CWD is responsible for the informal resolution process and notifying the complainant in writing of any offer made by an employer to informally resolve the complaint, the right to request a formal hearing, and the process for filing a request for a formal hearing.

California will spend funds authorized under the TANF Emergency Contingency Fund (ECF) established under the American Recovery and Reinvestment Act of 2009 for the following benefits and services allowable under TANF statute and regulations:

- 1) Basic assistance,
- 2) Non-recurrent short-term benefits, and
- 3) Subsidized employment programs.

- Eligibility for benefits funded under the TANF ECF will be based on the following definition of needy families:
Families eligible for or receiving CalWORKs, or
Families whose income is less than 200 percent of the official federal poverty guidelines applicable to a family of the size involved. These families are defined as:
 - (1) A family in which a minor child is living with a parent or adult caretaker relative, including a non-custodial parent of the minor child.
 - (2) A family that includes a woman in the third trimester of pregnancy.
 - (3) A family in which a minor child is temporarily absent for a period of time not to exceed 12 months due to child abuse and neglect, and the parent or parents of the child are engaged in family reunification services.
- Families that meet the expanded definition of a needy family will be eligible only for subsidized employment and/or non-recurrent short-term benefits, but will not be eligible for cash assistance.
- These services and benefits will be provided until September 30, 2010, or until federal TANF ECF funds are unavailable.

The CDSS has implemented a demonstration project in San Diego County to test an incentive-driven approach to diversion services. The San Diego *Ready, Set, WORK! (RSW!)* Project provides work-ready CalWORKs applicants with short-term financial payments and employment and supportive services to resolve their episode of need or crisis situation and divert the applicants and their families from dependence on public assistance in the CalWORKs program. This project is expected to run from May 15, 2010 to May 14, 2013. An evaluation will be conducted after a six-month test period in two family resource centers to determine if the project should be implemented on a county-wide basis. The project will be evaluated on its success in increasing the number of families diverted from CalWORKs, improvement in self-sufficiency efforts, as well as costs and savings of the project.

iv. Indicate whether the state intends to assist individuals to train for, seek, and maintain employment providing direct care in a long-term care facility or in other occupations related to elder care for which the state identifies an unmet need.

California intends to assist CalWORKs recipients to train for, seek, and maintain employment in the health care industry. This includes, but is not limited to, training for the provision of direct care in a long-term care facility and other occupations related to elder care. Such training may be provided as part of an individual's WTW plan, in accordance with Section (A) (ii), based on an assessment of the individual's skills and abilities and based on labor market need in the local community.

CWDs will coordinate and collaborate with other agencies, such as the Department of Education, the Employment Development Department, One-Stop Centers, and local Workforce Investment Boards, as well as local health care providers, to put clients in programs with training that lead to certifications and licenses that will allow the client to be employed in various healthcare occupations, including at long-term care facilities and in the elder care field. These trainings will occur at community colleges, Regional Occupational Programs, adult vocational schools, private career colleges, the American Red Cross, local hospitals, county health departments, and other training providers. For example, some CalWORKs participants are in an "Earn-as-You Learn" program that is offered directly through local long-term care facilities. Some counties provide mentors, internships and job placements services.